

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,

Plaintiff

v.

Eduardo Lopez,

Defendant

Case No. 2:23-cr-00055-CDS-DJA

**Order Granting in Part Defendant's
Motion to Continue**

[ECF No. 413]

This case was previously set for jury trial to commence on March 10, 2025. Mins. of proceedings, ECF No. 287. On January 10, 2025, Lopez filed a motion to continue the trial (ECF No. 413), which the United States opposed (Opp'n, ECF No. 424). On January 16, 2025, the court heard oral argument on the continuance motion. At the conclusion of the hearing, the court granted the motion to continue in part, continuing the trial two weeks. The trial is now set to commence on March 24, 2025. The court makes the following findings of fact and conclusions of law.

I. Findings of fact and conclusions of law

1. Lopez seeks additional time to resolve discovery disputes with non-parties to this litigation and to review any discovery that is produced should his discovery requests be granted;
2. There are outstanding motions and objections that the court must resolve before the trial date;
3. The defendant does not object to the continuance; and
4. Given the outstanding motions, and that denial of this request for a continuance would likely result in a miscarriage of justice, the ends of justice served by taking this action outweigh the best interest of the public and the defendant's interest in a speedy trial.

1 For these reasons, I conclude that:

- 2 1. the ends of justice are best served by granting this continuance, which outweighs
3 the best interest of the public and the defendant's interest in a speedy trial;
4 2. denial of the continuance would likely result in a miscarriage of justice;
5 3. denial of the continuance would deprive the parties of the opportunity to resolve
6 pending motions and objections, the rulings of which impact trial preparation; and
7 4. denial of the continuance would deny the parties herein the opportunity to prepare
8 for trial taking into account the exercise of due diligence.

9 I further conclude that after considering the factors set forth in Title 18, United States
10 Code, § 3161(h)(7)(B)(i) and (iv), this continuance is excludable under the Speedy Trial Act. See
11 18 U.S.C. § 3161(h)(1)(D) and (7)(A).

12 **II. Conclusion**

13 IT IS HEREBY ORDERED that defendant Eduardo Lopez's motion to continue trial
14 [ECF No. 413] is GRANTED in part, as set forth in this order.

15 IT IS FURTHER ORDERED that the calendar call is continued until March 11, 2025, at
16 9:30 a.m., and the trial date is continued until March 24, 2025, at 9:30 a.m.

17 IT IS FURTHER ORDERED that all deadlines set forth in the parties' stipulation and
18 scheduling order (ECF No. 302) are advanced by two weeks.

19 Dated: January 21, 2025

20 
21 Cristina D. Silva
22 United States District Judge
23
24
25
26